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TO RUEHC/SECSTATE WASHDC 2332
INFO RUCNSAD/SOUTHERN AFRICAN DEVELOPMENT COMMUNITY
RUEAIIA/CIA WASHDC
RUEATRS/DEPT OF TREASURY WASHDC 0425
RUEHLMC/MILLENNIUM CHALLENGE CORPORATION WASHDC

UNCLAS LILONGWE 000118

SIPDIS

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STATE FOR AF/S GABRIELLE MALLORY
STATE FOR INR/AA

E.O. 12958: N/A

TAGS: [PGOV](#) [KDEM](#) [KCOR](#) [MI](#)

SUBJECT: FORMER GOVT. MINISTER CONVICTED ON CORRUPTION
CHARGES

¶1. (SBU) Summary: In the first conviction against a senior official in President Mutharika's administration, former Education Minister Yusuf Mwawa has been found guilty on four counts of fraud and corruption. Mwawa was arrested, and then fired by the President, after he paid for his \$1,500 wedding with government funds in May 2005. Though he is expected to appeal the ruling, Mwawa is scheduled to be sentenced on February 9th, and he is facing up to life in prison. End Summary.

¶2. (SBU) Mwawa was convicted of abuse of public office, simple theft, forgery and authoring a false document. While the first two charges each carry a maximum of five years in prison, the later two could each potentially bring with them a life sentence. However, the judge in the case could show some leniency, as Mwawa has publicly stated his intention to pay back the money this week. (Interestingly, Mwawa also pled for leniency based on his advanced age. His lawyer reasoned that, in a country where average life expectancy is 37, the 49-year-old Mwawa deserves special consideration as an old man.)

¶3. (SBU) Making good on his promise of a "zero tolerance" regime for corruption, President Mutharkia fired Mwawa after learning of the charges against him. Mwawa, who had also been serving in the high-profile position of Leader of Government Business in Parliament, automatically loses his seat after the conviction.

¶4. (SBU) Comment: Mwawa was the first sitting Minister in Malawian history to be fired, then tried and convicted for corruption. This is also the first high-profile case that the Anti-Corruption Bureau (ACB) has won in almost a year. It comes at an opportune time, as the ACB has faced mounting criticism from the Malawian press recently for a perceived politicization and failure to win convictions. While these charges have little basis in fact, the slow-paced Malawian court system has not helped the ACB to win over many doubters. However, convicting Mwawa is nothing less than a huge success for the ACB, and lends some credibility to Mutharika's anti-corruption drive.

GILMOUR